

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

MDL No. 1917

Case No. C-07-5944 JST

This Order Relates To:

**ORDER REGARDING SUPPORT FOR
CHUNGHWA NOTICE COSTS**

ALL INDIRECT PURCHASER ACTIONS

Among the topics addressed at the fairness hearing held on April 19, 2016 was the issue of notice costs for the Chunghwa settlement. Certain objectors had asked that the Court have those claimed expenses audited. At the Court's suggestion, all parties agreed that it would resolve the issue satisfactorily if the Court viewed the materials supporting the claimed notice expenses *in camera*. The Court ordered the documents lodged with the Court by April 22, 2016. See ECF No. 4572 at 2 ¶ 2.

On April 20, 2016, the Ninth Circuit issued a ruling in Yamada v. Nobel Biocare, No. 14-55263, D.C. No. 2:10-cv-04849-MWF-PLA. In that case, the Ninth Circuit held that a district court that reviews attorney timesheets to resolve a fee dispute in a class action must make the timesheets available to opposing counsel when requested. See id at 15 ("So the question is whether judicial efficiency may eclipse Defendants' fundamental right to inspect and challenge the documents. It may not."). The Court was not aware of Yamada during yesterday's hearing.

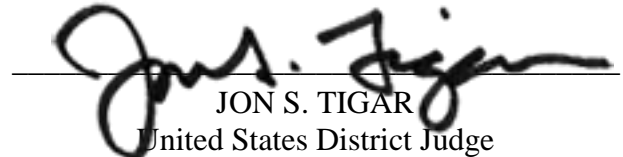
Although the current request relates only to notice expenses, not timesheets – and although the parties stipulated to the Court's suggested procedure – the Court nonetheless believes that the better practice is to provide the materials to opposing counsel. Had the Court been aware of the Yamada decision before yesterday's hearing, it would have ordered that the notice expense

1 materials be filed on the docket rather than lodged for *in camera* review.

2 The Court now orders Lead Counsel to file the documents on the docket. Lead Counsel
3 may request the documents be filed under seal if he believes it necessary. The deadline for filing
4 remains April 22, 2016.

5 IT IS SO ORDERED.

6 Dated: April 20, 2016

7 
8 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California